

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**IN RE: VALSARTAN, LOSARTAN,
AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

This Document Relates to All Actions

MDL No. 2875

Honorable Robert B. Kugler,
District Court Judge

Oral Argument Requested

**THE TEVA DEFENDANTS' MOTION TO SEAL EXHIBITS TO
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION OF CONSUMER
ECONOMIC LOSS CLAIMS (Dkt. [1748](#))
PURSUANT TO LOCAL CIVIL RULE 5.3(c)**

Defendants Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Actavis, LLC, and Actavis Pharma, Inc., (collectively, the “Teva Defendants” or “Teva”), by and through the undersigned counsel, respectfully move the Court, pursuant to Local Civil Rule 5.3(c) and the Amended Confidentiality and Protective Order (Dkt. [1661](#)) entered in this action, to seal the following documents filed as Exhibits to Plaintiffs’ Motion for Class Certification of Consumer Economic Loss Claims (Dkt. [1748](#)). The six documents at issue are more specifically identified as follows:

- TEVA-MDL2875-00049024 (attached as **Exs. 16 and 67** to Dkt. [1748](#))
- TEVA-MDL2875-00549883 (attached as **Ex. 66** to Dkt. [1748](#))
- TEVA-MDL2875-00020519 (attached as **Ex. 72** to Dkt. [1748](#))

- TEVA-MDL2875-00522655 to TEVA-MDL2875-00522660
(attached as **Ex. 88** to Dkt. [1748](#))
- TEVA-MDL2875-00400391 to TEVA-MDL2875-0040000 (attached
as **Ex. 90** to Dkt. [1748](#))
- TEVA-MDL2875-00042885 to TEVA-MDL2875-00042887
(attached as **Ex. 97** to Dkt. [1748](#))

In support of this motion, the Teva Defendants will rely upon the accompanying Declaration of Brian H. Rubenstein, dated December 2, 2022; the Declaration of Anthony R. Binsol, dated November 29, 2022, attached as **Exhibit A** thereto; and the Index identifying the documents the Teva Defendants seek to seal, attached as **Exhibit B** thereto.

A proposed Order is also submitted herewith, including Proposed Findings of Fact and Conclusions of Law pursuant to Local Civil Rule 5.3(c)(6).

Pursuant to Local Civil Rule 7.1(d)(4), no legal brief is required because the relevant proposed findings of fact and conclusions of law required by Local Civil Rule 5.3(c)(2) are contained in the Proposed Order and are supported by the Declaration of Brian H. Rubenstein, along with the Declaration of Anthony R. Binsol and the Index attached thereto, which describe with the requisite particularity: (a) the nature of the materials at issue; (b) the legitimate private or public interest which warrants the relief sought; (c) the clearly defined and serious injury that would

result if the relief sought is not granted; (d) why a less restrictive alternative to the relief sought is not available; (e) any prior order sealing the same materials in the pending action; (f) the identity of any party or nonparty known to be objecting to the sealing request; (g) the materials to which there is an objection; (h) the basis for the objection; and (i) if the material or information was previously sealed by the Court in the pending action, why the materials should not be maintained under seal.

WHEREFORE, the Teva Defendants respectfully request that the Court grant their motion to seal.

Dated: December 2, 2022

By: /s/ Brian H. Rubenstein

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 2, 2022, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants in this matter.

/s/ Gerond J. Lawrence

Gerond J. Lawrence
Greenberg Traurig, LLP